

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>12/15/09</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- :

MARIO S. LEVIS,
a/k/a "Sammy Levis," :

Defendant. :

PROTECTIVE ORDER
ON CONSENT

08 Cr. 181 (TPG)

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Upon the application of the United States of America, Preet Bharara, United States Attorney, by Daniel A. Braun, William J. Stellmach, Assistant United States Attorneys, and Jason M. Anthony, Special Assistant United States Attorney, and with the consent of the defendant, MARIO S. LEVIS, a/k/a "Sammy Levis," by and with the consent of his attorneys, Roy Black, Esq., Howard Srebnick, Esq., Maria Neyra, Esq., and Scott Srebnick, Esq.

IT IS HEREBY ORDERED:

1. Documents provided to the United States Securities and Exchange Commission by R&G Financial Corporation and First Bank may be disclosed to the defendant by the Government pursuant to Fed. R. Crim. P. 16 and are deemed "confidential information."

2. Confidential information disclosed to the defendant or his counsel during the course of proceedings in this action:

a. Shall be used by the defendant and his attorneys only for purposes of this criminal action;

b. Shall not be disclosed in any form by the defendant or his attorneys except as set forth in paragraph 2(c) below;

c. May be disclosed by the defendant or his

attorneys only to the following persons (hereinafter "designated persons"): (i) all personnel employed full-time or part-time by the defendant's attorneys and their law firm; (ii) independent expert witnesses or advisors retained by the defendant or his attorneys in connection with this criminal action; (iii) transactional witnesses or their counsel, to the extent deemed necessary by defense counsel for trial preparation; and (iv) such other persons as hereafter may be authorized by the Court upon such motion by the defendant or his attorneys. Copies of documents containing confidential information may not be given to or remain in the custody of transactional witnesses.

3. The defendant and his attorneys shall provide a copy of this Order to the designated persons to whom they disclose confidential information pursuant to paragraph 2(c). Designated persons shall be subject to the terms of this Order.

4. All documents subject to this Protective Order must be returned to the United States Attorney's Office at such time as they are not needed in this action, at the end of the criminal proceedings, or upon Order of the Court, whichever occurs first.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information to any Judge or Magistrate Judge of this Court for purposes of this action.

6. In the event any confidential information is included with, or in any way disclosed in, any pleading, motion or other paper filed with the Court, such confidential information shall be filed under seal and kept under seal by the clerk until

further order of the Court. Copies of confidential information served upon opposing counsel shall be placed in a sealed envelope labeled: "Confidential Information Subject to Protective Order."

Dated: New York, New York
December 14, 2009

SO ORDERED:

A handwritten signature in black ink, reading "Thomas P. Griesa". The signature is written in a cursive style with a large, sweeping initial 'T'.

HONORABLE THOMAS P. GRIESA
UNITED STATES DISTRICT JUDGE